

CJRAMG CLOSED

**U.S. District Court  
TXS - Southern District of Texas (Houston)**

**CIVIL DOCKET FOR CASE #: 95-CV-11**

Dorsey v. Johnson, et al  
Assigned to: Judge Lee H Rosenthal  
Referred to: Magistrate Judge Mary Milloy

Filed: 01/04/95

Demand: \$0,000  
Lead Docket: None  
Dkt# in other court: None

Nature of Suit: 530  
Jurisdiction: Federal Question

Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

PAUL EARL DORSEY  
petitioner

Paul Earl Dorsey  
[COR LD NTC] [PRO SE]  
#642562  
A D Hughes Unit

RT 2 Box 4400

Gatesville,, TX 76597




v.

WAYNE SCOTT  
respondent


Henry M De La Garza  
512-472-3855 fax  
x@x.com  
[COR LD NTC]  
Office of Attorney General  
P O Box 12548  
Austin, TX 78711-2548  
512-463-2004




GARY L JOHNSON, Director-TDC-J  
respondent

Henry M De La Garza  
(See above)  
[COR LD NTC]

1/4/95	1		Prisoner Petition for Writ of Habeas Corpus; filed. (no)
1/4/95	2		MOTION to proceed in forma pauperis by Paul Earl Dorsey Motion Docket Date 1/24/95 [2-1] motion , filed. (no)
1/19/95	--		Rec'd Dorsey's letter requesting the Deft to be The State of Texas instead of Scott (ym) [Entry date 01/23/95]
2/15/95	3		ORDER to Respond by 3/27/95 and State Court Records due 5/16/95 as to Paul Earl Dorsey : granting [2-1] motion to proceed in forma pauperis [2-1] , entered. Parties ntfd. ( Signed by Magistrate Judge Mary Milloy ) Clerk to serve copies of the application and this order upon the Respondent Wayne Scott and upon Attorney General, Dan Morales by certified mail. (ym) [Edit date 02/15/95]
2/21/95	--		Rec'd green card acknowledging receipt of article No. P 714-720-545 by Wayne Scott on 2/18/95 (ym) [Entry date 02/22/95]
4/4/95	4		MOTION with memorandum in support for summary judgment by Wayne Scott, Motion Docket Date 4/24/95 [4-1] motion , filed (ym)
4/4/95	5		MOTION for Henry M. de la Garza to appear pro hac vice by Wayne Scott, Motion Docket Date 4/24/95 [5-1] motion , filed. (ym)
4/12/95	--		STATE COURT RECORDS, received and forwarded to file room. ( 1 folders) (fs)
4/14/95	6		MOTION for appointment of counsel by Paul Earl Dorsey, Motion Docket Date 5/4/95 [6-1] motion , filed. (ym) [Entry date 04/17/95]
4/19/95	7		MOTION to dismiss previous motion to appoint counsel by Paul Earl Dorsey, Motion Docket Date 5/9/95 [7-1] motion , filed. (bj) [Entry date 04/20/95]
4/19/95	8		MOTION for appointment of counsel by Paul Earl Dorsey, Motion Docket Date 5/9/95 [8-1] motion , filed. (bj) [Entry date 04/20/95]
4/19/95	9		MOTION for discovery by Paul Earl Dorsey, Motion Docket Date 5/9/95 [9-1] motion , filed. (bj) [Entry date 04/20/95]
4/19/95	10		First Set of INTERROGATORIES of Paul Earl Dorsey to Wayne Scott , filed (bj) [Entry date 04/20/95]
4/19/95	11		FIRST SET OF REQUEST by Paul Earl Dorsey for Production of Documents from Wayne Scott , filed. (bj) [Entry date 04/20/95]
5/26/95	--		Status check. (ym) [Entry date 05/30/95]
6/9/95	12		ORDER granting [5-1] motion for Henry M. de la Garza to appear pro hac vice for Scott, entered; Parties notified. ( signed by Judge Lee H. Rosenthal ) (ym) [Entry date 06/13/95]
6/13/95	13		ORDER referring case to Magistrate Judge Mary Milloy for report and recommendation to this Court, entered. Parties ntfd. ( signed by Judge Lee H. Rosenthal ) (ym) [Entry date 06/14/95]

6/26/95	14		ORDER denying Petitioner's [6-1] motion for appointment of counsel; denying [8-1] motion for appointment of counsel; granting [9-1] motion for discovery set answers to interrogatories due for 7/10/95, Response to motion reset to 7/30/95 for [4-1] motion for summary judgment , entered; Parties notified. ( signed by Magistrate Judge Mary Milloy ) (ym) [Entry date 06/27/95]
6/30/95	15		OBJECTION to Magistrate Judge's [14-3] order of June 26, 1995, with brief in support by Wayne Scott , filed. (ym) [Entry date 07/06/95]
7/5/95	16		REBUTTAL by Paul Earl Dorsey to Deft's [15-1] objection, to the Magistrate Judge's [14-3] order of June 28, 1995 , filed. (ym) [Entry date 07/07/95]
7/10/95	17		FIRST SET OF INTERROGATORIES of Paul Earl Dorsey to Wayne Scott , filed (ph) [Entry date 07/13/95] [Edit date 07/20/95]
7/11/95	18		Second Set of INTERROGATORIES to Defts of Paul Earl Dorsey , filed (ym) [Entry date 07/13/95] [Edit date 07/21/95]
7/11/95	19		Second set of REQUEST by Paul Earl Dorsey for Production of Documents , filed. (ym) [Entry date 07/13/95] [Edit date 07/21/95]
7/17/95	20		MOTION to compel Defts to produce documents, respond to interrogatories entry numbers 10 and 11 by Paul Earl Dorsey, Motion Docket Date 8/6/95 [20-1] motion , filed. (ym) [Entry date 07/19/95] [Edit date 09/06/95]
7/17/95	21		MOTION to extend time to respond to summary judgment by Paul Earl Dorsey, Motion Docket Date 8/6/95 [21-1] motion , filed. (ym) [Entry date 07/19/95] [Edit date 09/06/95]
7/19/95	22		NOTICE of Advisory to the Court with brief in support by Wayne Scott , filed (ym) [Entry date 07/18/95] [Edit date 09/06/95]
7/24/95	23		RESPONSE by Paul Earl Dorsey to Defts [15-1] Objections and Advisory With Brief, filed. (ph) [Entry date 07/25/95]
8/14/95	24		Notice of change of address by Paul Earl Dorsey , filed. (ym) [Entry date 08/17/95]
8/15/95	25		Notice of change of address by Paul Earl Dorsey , filed. (ph) [Entry date 08/18/95]
12/15/95	--		Rec'd Dorsey's letter of inquiry (ym) [Entry date 12/19/95]
1/12/96	26		ORDER: Respondent to file responsive materials no later than 30 days from the date this order is entered. , entered; Parties notified. ( signed by Judge Lee H. Rosenthal ) (ym) [Entry date 01/16/96]
1/16/96	27		ORDER granting Petitioner's [21-1] motion to extend time to respond to summary judgment Response to motion reset to 2/20/96 for [4-1] motion for summary judgment; mootng [20-1] motion to compel Defts to produce documents, respond to interrogatories entry numbers 10 and 11 , entered; Parties notified. ( signed by Magistrate Judge Mary Milloy ) (ym) [Entry date 01/17/96]

1/17/96	--	Notified Attorney DeLaGarza to file any responsive pleading by 2/12/96. jh (ph) [Entry date 01/22/96]
2/9/96	28	Respondent's MOTION for extension of time to respond to Petitioner's Discovery requests by Gary L Johnson, Motion Docket Date 2/29/96 [28-1] motion , filed. (ej) [Entry date 02/12/96]
2/12/96	--	Rec'd type note from Case Mgr: Ntfd Counsel via Phone that respondent's motion for extension of time to respond to petitioner's discovery requests DENIED and mailed copy of entry to pltf. (ej) [Entry date 02/16/96]
2/13/96	--	Rec'd note from Case Mgr. as to notification of pltf's Faxed copy of respondent's motion to reconsideration of Denial of mtn f/extension of time to respond to petitioner's discovery requests w/brief in support DENIED. (ej) [Entry date 02/16/96]
2/14/96	29	Rec'd Fax letter from Atty General's Office, with a note from Case Mgr. to docket, as to the DENIAL of Respondent's motion for Reconsideration of the Respondent's Mtn for Extension of Time to respond to Petitioner's Discovery Requests, signed by Henry DE LA Garza. (ej) [Entry date 02/16/96]
2/16/96	31	Respondent's RESPONSE by Gary L Johnson to Petitioner's First Set of [17-1] interrogatories and First set of requests for [11-1] production of Documents , filed. (ej) [Entry date 02/20/96]
2/16/96	30	Respondent's MOTION for reconsideration of Denial of motion for extension of time to respond to petitioner's Discovery Requests with brief in support, by Gary L Johnson, Motion Docket Date 3/7/96 [30-1] motion , filed. (ej) [Entry date 02/21/96] [Edit date 02/21/96]
2/20/96	32	Petitioner's MOTION for extension of time to file Advisory in Support of his Summary Judgment by Paul Earl Dorsey, Motion Docket Date 3/11/96 [32-1] motion , filed. (ej) [Entry date 02/22/96]
2/20/96	33	Petitioner's MOTION for summary judgment with brief in support, by Paul Earl Dorsey, Motion Docket Date 3/11/96 [33-1] motion , filed. (ej) [Entry date 02/22/96]
2/20/96	34	AFFIDAVITS of Paul Earl Dorsey, Francois Younger, and D J Jetton, Re: [33-1] motion for summary judgment , filed (ej) [Entry date 02/22/96]
2/20/96	35	Notice of change of address by Paul Earl Dorsey , filed. (ej) [Entry date 02/23/96]
2/21/96	--	Deadline updated; terminating [28-1] motion for extension of time to respond to Petitioner's Discovery requests (chambers) (nd) [Entry date 02/23/96]
2/23/96	36	 MEMORANDUM AND RECOMMENDATION of Magistrate Judge Mary Milloy :Re: It is recommended that Petitioner's [32-1] motion for extension of time to file Advisory in Support of his Summary Judgment be denied, Respondent's [4-1] motion for summary judgment be granted and that Dorsey's petition be dismissed , entered. Parties ntfd. Objections to M and R due by 3/4/96 (ym)
2/26/96	37	ADVISORY to the court by Paul Earl Dorsey , filed (fs) [Entry date 02/29/96]

2/26/96	38		NOTICE of advisory to the court by Paul Earl Dorsey , filed (bj) [Entry date 02/29/96]
3/8/96	39		OBJECTION in part by Paul Earl Dorsey to [36-1] memorandum and recommendation , filed. (bj) [Edit date 03/08/96]
3/8/96	40		OBJECTION by Paul Earl Dorsey to [36-1] memorandum and recommendation , filed. (ym)
3/18/96	41		ORDER denying Petitioner's [33-1] motion for summary judgment; granting Respondent's [4-1] motion for summary judgment. This case will be dismissed , entered; Parties notified. ( signed by Judge Lee H. Rosenthal ) (ym) [Entry date 03/20/96]
3/18/96	42		FINAL JUDGMENT: This action is dismissed with prejudice , entered. Parties ntfd. ( signed by Judge Lee H. Rosenthal )  (ym) [Entry date 03/20/96]
3/18/96	--		Case closed (ym) [Entry date 03/20/96]
4/1/96	43		NOTICE OF APPEAL by Paul Earl Dorsey, filed. Fee Status: IFP (bw) [Entry date 04/03/96]
4/3/96	--		Notice of appeal and certified copy of docket transmitted to USCA: [43-1] appeal (bw)
4/22/96	--		NOTICE of Docketing NOA from USCA Re: [43-1] appeal USCA NUMBER: 96-20359 (bw) [Entry date 04/25/96]
5/9/96	44		CERTIFICATE OF PROBABLE CAUSE should not issue. The court also finds that the party appealing is not entitled to proceed in forma pauperis, entered ( Signed by Judge Lee H. Rosenthal ) (bw) [Entry date 05/14/96]
5/14/96	--		Certified and transmitted record on appeal consisting of 1 Vol - Original Record & 1 Exp Folder - State Court Records to U.S. Court of Appeals: [43-1] appeal. Circuit No. 96-20359 Parties ntfd. (bw)
7/9/96	45		ORDER OF USCA (certified copy) Dorsey's request for CPC or COA is DENIED. His motion for leave to proceed in forma pauperis on appeal is also DENIED, Re: [43-1] appeal , filed. [cca 96-20359] (mhm)
7/9/96	--		Record on appeal returned from U.S. Court of Appeals: Rec'd 1 vol of record, 1 exp. fld. of state court papers, file reass'd fwd to fileroom. (mhm)